

HONORABLE JAMES L. ROBART

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

DeFORGE MARITIME TOWING, LLC, a
Washington Limited Liability Company, and
DOUBLE EMC MARINE, LLC,

Plaintiffs,

v.

ALASKA LOGISTICS, LLC, a Washington limited
liability company, and ALLYN G. LONG, an
individual

Defendants.

IN ADMIRALTY

No. 2:20-cv-01085-JLR

JLR

**STIPULATED MOTION AND ORDER
TO CONTINUE**

NOTE FOR MOTION CALENDAR:
January 18, 2022

STIPULATED MOTION

Plaintiffs DeForge Maritime Towing, LLC and Double EMC Marine, LLC (“Plaintiffs”) and Defendants Alaska Logistics LLC and Allyn G. Long (“Defendants”) jointly request that the Court modify the case scheduling order (Dkt. 22) to continue the deadline to file dispositive motions and motions challenging expert witness testimony by one (1) week. The Parties do not request a continuance of the trial date or other pre-trial deadlines at this time.

1 In accordance with LCR 10(g), the Parties state the following reasons justifying the
2 proposed schedule change:

3 1. This admiralty action involves alleged breaches of two (2) Time Charter
4 Agreements between the Parties in 2018 and 2019. Plaintiffs have asserted claims for breach
5 of contract, account stated, and negligence for unpaid charter hire and damages allegedly
6 sustained by the barge, THELMA 302, while the vessel was chartered by Defendants.
7 Defendants deny these allegations.

8 2. The Parties worked cooperatively to complete discovery. The discovery
9 deadline passed on January 3, 2022.

10 3. The Parties are currently engaging in settlement discussions, and Defendants
11 already made a conditional settlement payment. A final settlement agreement, however, has
12 not yet been reached.

13 4. Plaintiff DeForge Maritime Towing, LLC is heavily involved in business
14 projects which caused some delays with the negotiations.

15 5. Although the Parties both believe that this case involves questions of contract
16 interpretation that may be appropriate for the Court to address on summary judgment, the
17 Parties agree that filing dispositive motions on the current January 18, 2022 dispositive motion
18 deadline may hinder the ongoing settlement discussions.

19 6. Accordingly, the Parties request that the Court continue the deadline to file
20 dispositive motions and motions challenging expert witness testimony by one (1) week to
21 January 25, 2022.

7. If helpful for the Court, the Parties also stipulate and agree to alter the briefing deadline and file dispositive motions as Third Friday motions, to allow the Court more time to rule on any dispositive motions before trial, if applicable.

WHEREFORE, the Parties respectfully request that the Court modify the case scheduling order (Dkt. 22) as provided below:

<u>Event</u>	<u>Current Date</u>	<u>Proposed Date</u>
All Dispositive motions and motions challenging expert witness testimony must be filed by (<i>see</i> LCR 7(d))	January 18, 2022	January 25, 2022
Settlement conference held no later than	February 17, 2022	February 17, 2022
All motions in limine must be filed by All motions in limine shall be filed as one motion	March 7, 2022	March 7, 2022
Agreed pretrial order due	March 28, 2022	March 28, 2022
Deposition Designations must be submitted to the court (not filed on CM/ECF) by: (<i>see</i> LCR 32(e))	March 30, 2022	March 30, 2022
Pretrial conference to be held at 02:00 PM on	April 4, 2022	April 4, 2022
Trial brief and proposed findings of fact and conclusions of law by: Motions raised in trial briefs will not be considered	April 11, 2022	April 11, 2022
BENCH TRIAL DATE	April 18, 2022	April 18, 2022

DATED this 18th day of January, 2022.

HOLMES, WEDDLE, & BARCOTT, PC

/s/Lafcadio H. Darling

LAFCADIO DARLING, WSBA #29963

LE GROS BUCHANAN & PAUL

/s/ Daniel J. Park

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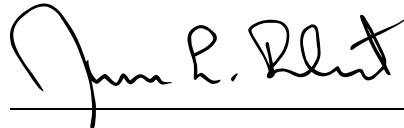
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Attorneys for Defendants

[PROPOSED] ORDER

JLR

It is so Ordered.

Dated this 18th day of January, 2022.



JAMES L. ROBART
United States District Judge

Presented by:

/s/Daniel J. Park

DANIEL J. PARK, WSBA #43748

/s/Dustin Hamilton

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